BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Spectrum Needs of Emergency Response Providers	)	WT Docket No. 05-157
	)	
	)	

COMMENTS OF THE TELECOMMUNICATIONS INDUSTRY ASSOCIATION

The Telecommunications Industry Association ("TIA") hereby submits comments in response to the Public Notice in the above-captioned proceeding.[1]

I. INTRODUCTION

TIA is the leading trade association for the information and communications technology industry, with 700 member companies that manufacture or supply the products and services used in global communications. TIA represents its members on the full range of public policy issues affecting the communications industry, forges

[1] *Public Notice,* FCC 05-80 (released March 29, 2005).

consensus on industry standards, and produces and co-owns SUPERCOMM®, the world's largest annual communications exhibition and conference. Among their numerous lines of business, TIA member companies design, produce and deploy terrestrial and satellite wireless network and terminal equipment, including equipment used commercially and by emergency response providers. TIA engineering committees also produce technical standards in response to the requirements of the public safety community. As a result, TIA has a substantial interest in current and future Federal Communications Commission ("FCC" or "Commission") spectrum management decisions and activities related to the development of wireless and satellite broadband services and public safety networks.

In this Public Notice, the Commission seeks comment on a range of issues related to the spectrum needs of emergency response providers. The Commission seeks input on the short-term and long-term needs for allocation of additional spectrum for Federal, State, and local emergency response providers. Additionally, the Commission is seeking comment on the extent to which commercial wireless and satellite technologies may be used to satisfy the communications needs of emergency response providers.

II. DISCUSSION

The Commission has recently allocated significant blocks of spectrum to meet public safety requirements, including 50 MHz of spectrum in the 4.9 GHz band, 24 MHz of spectrum in the 700 MHz band, and approximately 4 MHz in the 800 MHz band that will be available as a result of the Commission's decision to reband that spectrum. These actions provide public safety agencies significant new resources for meeting their communications needs. In total, more than 97 MHz of spectrum is currently allocated for

public safety communications, but a critical 24 MHz, allocated nearly 10 years ago, is still unavailable for use.

A top priority of the Commission should be to ensure that all of this spectrum is fully available for use by public safety agencies. To this extent, the Commission must take action to complete the digital television ("DTV") transition and make the 700 MHz band fully available, both for public safety communications needs and for commercial wireless broadband services. Converting to DTV will clear valuable spectrum for important public safety uses, including use by police, fire departments, and rescue squads as well as advanced wireless services. The DTV transition will clear 108 MHz of spectrum in the 700 MHz band. The propagation characteristics of this particular spectrum band make it extremely desirable for state-of-the-art first responder communications, and new, innovative broadband applications. The need for this spectrum has reached a critical point.

The completion of the DTV transition will lead to a major increase in the amount of valuable spectrum available for public safety use. Of the 108 MHz of analog broadcast spectrum, 24 MHz has been allocated for public safety uses, including interoperable communication channels. This spectrum will assist first responders during national and local emergencies and will increase the ability of public safety agencies to interoperate across jurisdictional lines. The importance of this spectrum reclamation is greatest in major metropolitan areas, where the threat against our citizens is greatest and where spectrum shortages are most severe. The FCC has already adopted a TIA standard for interoperable communications for much of the spectrum designated for public safety use in this band. However, fully standardized, interoperable solutions cannot be

deployed in areas where they are needed most until the DTV transition is complete. In addition, TIA standards for wideband interoperable channels in the 700 MHz public safety band have been completed and recommended by the FCC's National Coordination Committee ("NCC") for reference by the FCC. The availability of these wideband 700 MHz channels are also impacted by the DTV transition uncertainty.

The absence of a date certain for completion of the analog-to-digital transition is delaying the provision of significant benefits to both the public safety agencies, and the American public. Some companies in the high tech industry are delaying the commercial development and/or deployment of high-speed wireless broadband equipment and/or services due to the uncertainty clouding the DTV transition. Other companies who already hold licenses for some of the spectrum auctioned by the FCC cannot deploy new wireless services on it until the DTV transition ends. Additional auctions of this spectrum for licensed commercial services are on hold. When available, this spectrum provides the potential for a cost-effective option for broadband access for consumers in rural America. Moreover, new opportunities for interoperable public safety wireless communications are being deferred, with negative impacts to homeland security. For these reasons, TIA strongly urges the Commission to support a date certain of December 31, 2006 for completion of the DTV transition.

Emergency response providers have unique needs, such as enhanced data security, reliability and coverage requirements. This was recognized in the Commission's Spectrum Policy Task Force Report. These needs are appropriately met with spectrum allocations reserved exclusively for emergency response providers. However, commercial service provider networks can also play a significant role in helping public

safety agencies meet their communications needs. The Commission should encourage public safety agencies to explore mechanisms for leveraging the technical and economic benefits of ubiquitous commercial networks. Moreover, commercial wireless broadband networks currently being designed, and planned for deployment in the future, will offer additional benefits and capabilities to public safety agencies seeking to meet their communications needs.

In addition, TIA also notes that a number of standardized technologies are available, or are being developed, to provide wireless broadband services. Public safety agencies should be encouraged to explore the use of widely-available, standardized commercial wireless technologies (within spectrum allocated for public safety services) even for mission-critical needs, and should pursue operational rules that support the use of widely-available commercial technologies to the extent that they meet those needs.

TIA strongly supports the Commission's desire to ensure that public safety communication systems are protected from harmful interference, and TIA supports the adoption of safeguards to accomplish this goal.

Finally, TIA is convinced that public safety providers require additional funds for acquisition and deployment of more efficient, state-of-the-art, digital communications solutions. Although the FCC cannot provide funding, it can reduce the cost to the public by promulgating technical regulations that ensure maximum competition in equipment and solutions to meet public safety user needs. In addition, public safety providers should be encouraged, through incentives and other means, to implement solutions that are cost efficient. Appropriate efficiency incentives and funding levels for their communications needs will ensure that public safety agencies can purchase appropriate

solutions that derive greater efficiencies from available spectrum in public safety bands as well as commercial bands.

III. CONCLUSION

TIA applauds the Commission's desire to promote more efficient use of spectrum and to create opportunities for new and additional uses of wireless communications. TIA has long believed that sound spectrum management is critical to the future success of the communications industry, and to maximize benefits to consumers (federal, state, local, and commercial). TIA strongly supports Commission consideration of mechanisms and flexible licensing models that allow more efficient use of spectrum for wireless services, including public safety communications needs.

As noted above, a top priority of the Commission should be to ensure that all spectrum currently allocated for use by public safety agencies is made available. Thus, TIA strongly urges the Commission to take action to complete the DTV transition and make the 700 MHz band available, both for public safety communications needs and for commercial wireless broadband services.

TIA member companies design, develop and manufacture a wide array of communications equipment, including systems that are subject to, and affected by, the Commission's regulatory oversight. TIA members have both a substantial interest in the development and operation of wireless networks, as well as an interest in ensuring that the users of wireless and satellite equipment and services do not experience harmful interference. TIA therefore has a direct interest in the spectrum management activities of the Commission and, more specifically, in the outcome of the issues addressed in this

Public Notice. TIA requests that the Commission take into consideration the views expressed above.

Respectfully submitted,

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